

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD DEBS,

Plaintiff,

No. 05-CV-74209-DT

vs.

Hon. Gerald E. Rosen

PATRICIA CARUSO, et al.,

Defendants.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in the
U.S. Courthouse, Detroit, Michigan
on January 29, 2007

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This Section 1983 prisoner civil rights matter having come before the Court on the October 24, 2006 Report and Recommendation of United States Magistrate Judge Mona K. Majzoub recommending that the Court grant Defendants' motion to dismiss and for summary judgment and that the claims against the two unserved Defendants be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B); and Plaintiff having timely filed objections to the Magistrate Judge's Report and Recommendation; and the Court having reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's Objections, and the Court's entire file of this action, and having concluded that, for the reasons stated in the Report and Recommendation, Defendants' motion should be granted and this case should, accordingly be dismissed in its

entirety; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of October 24, 2006 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion to Dismiss and for Summary Judgment be, and hereby is, GRANTED, and the claims against the two unserved Defendants are dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). Accordingly, Plaintiff's Complaint is DISMISSED in its entirety with prejudice. Based on the foregoing, this Court certifies that any appeal by Plaintiff would be frivolous and not in good faith. 28 U.S.C. § 1915(a).

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: January 29, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 29, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager